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EXAMINER

JEAN GILLES, JUDE

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 04/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/043,626

Applicant(s)

SLOBODIN ET AL.

Examiner

Jude J. Jean-Gilles

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 January 2006.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18, 21, 22, 24-28, 30-40 and 42-48 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-18, 21, 22, 24-28, 30-40 and 42-48 is/are rejected.
7) ☒ Claim(s) 19, 20, 23, 29 and 41 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 08 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

This Action is in regards to the Reply received on 01/06/2006.

Response to Amendment

1. This office action is responsive to communication filed on 01/06/2006. Claimed priority is granted from Provisional Application 60330253 Filing Date: 10/17/2001. No Claim is amended. There is no newly added claims. Claims 1-48 are pending. Claims 1-48 represent a method and apparatus for an "DATACONFERENCEING APPLIANCE AND SYSTEM."

Response to Arguments

2. Applicant's arguments with respect to claims 1, 21, and 35 have been carefully considered, but are not deemed fully persuasive. Applicant's arguments are deemed moot in view of the existing ground of rejection as explained here below.

The dependent claims stand rejected as articulated in the Previous Office Action and all objections not addressed in Applicant's response are herein reiterated.

In response to Applicant's arguments, 37 CFR § 1.11(c) requires applicant to "clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made. He or she must show the amendments avoid such references or objections."

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1-14 and 16** are rejected under 35 U.S.C. 103(a) as being unpatentable over Kung et al (Kung), Patent No. 6,671,262 B1, in view Zellner et al (Zellner), U.S. Patent No. 6,807,564 B1.

Regarding **claim 1**, Kung discloses a dataconferencing appliance for use at a local site to facilitate a dataconferencing session between the local site and at least one geographically distant remote site, the local and remote sites being accessible via a shared voice call network and a shared data network, the remote site having a remote dataconferencing appliance connected to the voice call network and the data network, at least one of the local and remote sites having an image source for producing image data representative of an image, and the local site having a local display device for displaying the image at the local site (see Kung; fig. 1, item 1; fig. 10A, items 224) the dataconferencing appliance comprising:

a telephone adapter for connecting a telephone receiver to the voice call network so that a voice call session can be established between the telephone receiver and the remote site via the voice call network, the telephone adapter including circuitry for monitoring the voice call session and for transmitting signals within the voice call session (see *Kung*; column 3, lines 38-67; column 4, lines 1-20);

a network interface for connecting the dataconferencing appliance to the data network (see Kung; *fig. 10A, item 1000; column 31, lines 64-67; column 32, lines 1-8*); and

a dataconference control unit connected to the telephone adapter and the network interface, the dataconference control unit adapted for communication with the local display device, the dataconference control unit implementing a negotiation procedure that obtains a network access code and causes the telephone adapter to generate (see Kung; *column 20, lines 26-53; column 33, lines 39-67; column 34, lines 1-56*), and transmit within the voice call session a signal representative of the network access code for receipt by the remote dataconferencing appliance (see Zellner; *column 8, lines 15-29; column 9, lines 22-67*),

the dataconference control unit being responsive to receipt at the telephone adapter of a remote signal transmitted from the remote dataconferencing appliance within the voice call session, (see Kung; *column 20, lines 26-53; column 33, lines 39-67; column 34, lines 1-56*), the remote signal representing a remote network access code, and to establish a data communication session between the local and remote sites via the data network using the remote network access code, (see Zellner; *column 6, lines 33-54*) when received and

thereby enabling image data to be transmitted between the local and remote sites over the data network for display via the local and remote display devices (see Kung; *column 3, lines 38-67; column 4, lines 1-67; column 5, lines 1-5; see Zellner; items 12, 14, 20, 22*).

Note that both Kung and Zellner are in the same field of endeavor. Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Zellner's teachings of a method to enable image data (with access code and session data) to be transmitted between the local and the remote sites, with the teachings of Kung, for the purpose of "*allowing users to request emergency help on the Internet network*" as stated by Zellner in lines 40-45 of column 4. Kung also provides motivation to combine by stating that there is a need to efficiently integrate multiple types of media ..." in lines 19-23 of column 1. By this rationale **claim 1** is rejected.

Regarding **claim 2**, the combination of Kung-Zellner discloses the dataconferencing appliance of claim 1, further comprising a telephone receiver for establishing the voice call session between the local and remote sites (*see Kung; column 17, lines 6-61*).

Regarding **claim 3**, the combination of Kung-Zellner discloses the dataconferencing appliance of claim 1 in which the transmitting of the signal within the voice call session includes transmitting an electronically generated audio signal representative of the network access code (*see Kung; column 20, lines 26-53; column 33, lines 39-67; column 34, lines 1-56*).

Regarding **claim 4**, the combination of Kung-Zellner discloses the dataconferencing appliance of claim 3 in which the electronically generated audio signal includes a series of DTMF tones (*see Kung; column 21, lines 34-54*).

Regarding **claim 5**, the combination of Kung-Zellner discloses the

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dataconferencing appliance of claim 1, further comprising an input key that, when manually activated, initiates the negotiation procedure to transmit the network access code within the voice call session (see *Kung*; column 20, lines 26-53).

Regarding **claim 6**, the combination of Kung-Zellner discloses the dataconferencing appliance of claim 5 in which the input key must be manually activated to establish the data communication session (see *Kung*; column 20, lines 26-53).

Regarding **claim 7**, the combination of Kung-Zellner discloses the dataconferencing appliance of claim 5 in which the input key includes a pushbutton (see *Kung*; column 20, lines 26-53).

Regarding **claim 8**, the combination of Kung-Zellner discloses the dataconferencing appliance of claim 1, further comprising a speakerphone having a telephone keypad (see *Kung*; column 20, lines 26-53).

Regarding **claim 9**, the combination of Kung-Zellner discloses the dataconferencing appliance of claim 1, further comprising a display device (see *Kung*; column 18, lines 39-46).

Regarding **claim 10**, the combination of Kung-Zellner discloses the dataconferencing appliance of claim 1, further comprising a display device and a speakerphone (see *Kung*; column 18, lines 39-46).

Regarding **claim 11**, the combination of Kung-Zellner discloses the dataconferencing appliance of claim 1, further comprising: a housing; and at least one network cable terminating in a network connector, the network cable retractable within

the housing when not in use (see *Kung*; column 22, lines 21-66).

Regarding **claim 12**, the combination of Kung-Zellner discloses the dataconferencing appliance of claim 1, further comprising a PC-video-IN connector for attaching an image source thereto (see *Kung*; column 18, lines 39-52).

Regarding **claim 13**, the combination of Kung-Zellner discloses the dataconferencing appliance of claim 1, further comprising a wireless networking module adapted for wireless communication between the dataconferencing appliance and a wireless device selected from the following group: (a) an image source; (b) a display device; and (c) an infrastructure wireless networking access point (see *Kung*; fig. 1, network 1, item 144; column 4, lines 54-67; column 5, lines 1-5).

Regarding **claim 14**, the combination of Kung-Zellner discloses the dataconferencing appliance of claim 1, further comprising a USB connector for connecting the dataconferencing appliance to the local display device (see *Kung*; column 18, lines 39-52).

Regarding **claim 16**, the combination of Kung-Zellner discloses the dataconferencing appliance of claim 1, further comprising a speakerphone and a speakerphone toggle switch for controlling an on-hook/off-hook status of the speakerphone (see *Kung*; column 20, lines 26-53).

5. **Claims 15, and 17,18, 21, 22, 24-28, 30-40, 42-48** are rejected under 35 U.S.C. 103(a) as being unpatentable over Kung and Zellner as stated in claim 1 above, in further view Shaw et al (Shaw), U.S. Patent No. 6,091,857. .

Regarding **claim 15**, the combination of KungZellner discloses the invention substantially as claimed. Kung teaches the dataconferencing appliance to use at a local site to facilitate a dataconferencing session between the local site and remote sites (see *claim 1 above*) but fails to specifically teach the step of using a DVI connector for connecting the dataconferencing appliance to the local display device.

In the same field of endeavor, Shaw discloses "*an INTEL DVI subsystem that is designed originally to performed the real time decoding function for the digital Video Interactive (DVI) compression*" [see Shaw, column 7, lines 66-67; column 8, lines 1-21].

Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Shaw's teachings of a method to use a positioning method and means for message transmission, with the teachings of Kung, for the purpose of "*providing implementation for selecting one of a plurality of multiple quality levels for live video, graphics, audio, and voice for effective business performance ...*" as stated by Shaw in lines 10-18 of column 3. Kung also provides motivation to combine by stating that there is a need to efficiently integrate multiple types of media ..." in lines 19-23 of column 1. By this rationale **claim 15** is rejected.

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Regarding **claim 17**, the combination Kung-Zellner-Shaw discloses the dataconferencing appliance of claim 1, further comprising an electronic projector. Examiner takes notice that an Electronic Projector is well-known in the art and that it would have been obvious for an ordinary skill in the art at the time the invention was made, to integrate an electronic projector into the invention of Kung to obtain the current invention. By this rationale **claim 17** is rejected.

Regarding **claim 18**, the combination Kung-Zellner-Shaw discloses the dataconferencing appliance of claim 1, further comprising an image processing subsystem for communication with the network interface, the image processing subsystem adapted to receive compressed image data and to decompress the compressed image data before display via the local display device [see *Shawn*, column 27, lines 36-67; column 13, lines 52-67; column 14, lines 1-45]. The same motivation used for **claim 15** is also valid for **claim 18** [see *Shaw*, column, lines 10-18; see *Kung*, column 1, lines 19-23]. By this rationale **claim 18** is rejected.

Regarding **claim 21**, the combination Kung-Zellner -Shaw discloses a distributed dataconferencing system for use with multiple sites at which a shared voice call network and a shared data network are accessible, each of the sites including a display device, comprising:

at each of the sites:

(a) a telephone receiver coupled to the voice call network for establishing a voice call session with the telephone receivers of other sites over the voice call network for

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transmission of voice communications therebetween [see *Kung*, column 3, lines 38-67; column 4, lines 1-20]

(b) a network interface coupled to the data network [see *Kung*, fig. 10A, item 1000; column 31, lines 64-67; column 32, lines 1-8], and

(c) a dataconference control unit coupled to the voice call network, the dataconference control unit coupled to the network interface and the display device at said site [see *Kung*, column 20, lines 26-53; column 33, lines 39-67; column 34, lines 1-56];

at one or more of the sites, an input key coupled to the dataconference control unit [see *Kung*, column 20, lines 26-53];

a negotiation procedure implemented in the dataconference control units, the negotiation procedure responsive to manual actuation of the input key to obtain a network access code and transmit the network access code within the voice call session, and the negotiation procedure responsive to receipt of a received network access code via the voice call session [see *Kung*, column 20, lines 26-53] to thereby establish a data communication session between the sites via the data network using one or both of the network access code and the received network access code [see *Kung*, column 20, lines 26-53; column 33, lines 39-67; column 34, lines 1-56]; and

at least one image source for producing image data representative of an image, the image source coupled to one of the network interfaces for transmitting the image data to the sites via the data network, to thereby facilitate display of the image at the sites via the display devices [see *Shaw*, column 12, lines 10-67; column 6, lines 4-63].

The same motivation used for **claim 15** is also valid for **claim 21** [see Shaw, column, lines 10-18; see Kung, column 1, lines 19-23]. By this rationale **claim 21** is rejected.

Regarding **claim 22**, the combination Kung-Zellner -Shaw discloses the system of claim 21, further comprising, at each of the sites: an image processing subsystem coupled to the network interface and the display device, the image processing subsystem adapted to receive image data, to compress the image data prior to transmission over the data network, and to decompress the compressed image data upon receipt of the compressed image data via the data network [see Shaw, column 7, lines 35-67]. The same motivation used for **claim 15** is also valid for **claim 22** [see Shaw, column, lines 10-18; see Kung, column 1, lines 19-23]. By this rationale **claim 22** is rejected.

Regarding **claim 24**, the combination Kung-Zellner -Shaw discloses the system of claim 21 in which, at one or more of the sites, the dataconference control unit, the network interface, and the input key are integrated in a dataconferencing appliance [see Kung, column 20, lines 26-53]. The same motivation used for **claim 15** is also valid for **claim 24** [see Shaw, column, lines 10-18; see Kung, column 1, lines 19-23]. By this rationale **claim 24** is rejected.

Regarding **claim 25**, the combination Kung-Zellner -Shaw discloses the system of claim 24 in which the dataconferencing appliance includes an integrated speakerphone [see Kung, column 20, lines 26-53]. The same motivation used for **claim 15** is also valid for **claim 25** [see Shaw, column, lines 10-18; see Kung, column 1, lines 19-23]. By this rationale **claim 25** is rejected.

Regarding **claim 26**, the combination Kung-Zellner -Shaw discloses the system of claim 24 in which the dataconferencing appliance includes a wireless networking module [see *Kung, fig. 1, network 1, item 144; column 4, lines 54-67, column 5, lines 1-5*]. The same motivation used for **claim 15** is also valid for **claim 26** [see Shaw, column, lines 10-18; see Kung, column 1, lines 19-23]. By this rationale **claim 26** is rejected.

Regarding **claim 27**, the combination Kung-Zellner -Shaw discloses the system of claim 21 in which the network interface at one or more of the sites includes a wireless networking module [see *Kung, fig. 1, network 1, item 144; column 4, lines 54-67, column 5, lines 1-5*]. The same motivation used for **claim 15** is also valid for **claim 27** [see Shaw, column, lines 10-18; see Kung, column 1, lines 19-23]. By this rationale **claim 27** is rejected.

Regarding **claim 28**, the combination Kung-Zellner-Shaw discloses the system of claim 27 in which the wireless networking module is a short-range peer-to-peer wireless networking module [see *Kung, fig. 1, network 1, item 144; column 4, lines 54-67, column 5, lines 1-5*]. The same motivation used for **claim 15** is also valid for **claim 28** [see Shaw, column, lines 10-18; see Kung, column 1, lines 19-23]. By this rationale **claim 28** is rejected.

Regarding **claim 30**, the combination Kung-Zellner-Shaw discloses the system of claim 21, further comprising an Internet conference server accessible on the data network at an IP address, and in which the network access code transmitted within the voice call session includes the IP address [see *Kung, fig. 2, item 224, column 11, lines*

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41-67]. The same motivation used for **claim 15** is also valid for **claim 30** [see Shaw, column, lines 10-18; see Kung, column 1, lines 19-23]. By this rationale **claim 30** is rejected.

Regarding **claim 31**, the combination Kung-Zellner-Shaw discloses the system of claim 21 in which the network access code transmitted within the voice call session includes a multicast group address [see *Kung, column 6, lines 53-67*]. The same motivation used for **claim 15** is also valid for **claim 31** [see Shaw, column, lines 10-18; see Kung, column 1, lines 19-23]. By this rationale **claim 31** is rejected.

Regarding **claim 32**, the combination Kung-Zellner-Shaw discloses the system of claim 21 in which the image source includes multiple image sources that generate a plurality of images, the image sources coupled to one or more of the network interfaces [see *Shaw, column 12, lines 10-67; column 6, lines 4-63*]. The same motivation used for **claim 15** is also valid for **claim 32** [see Shaw, column, lines 10-18; see Kung, column 1, lines 19-23]. By this rationale **claim 32** is rejected.

Regarding **claim 33**, the combination Kung-Zellner-Shaw discloses the system of claim 21 in which the network interface, display device, and dataconference control unit are integrated in a computer workstation at one or more of the sites [see *Shaw, column 29, lines 63-67; column 30, lines 1-32*]. The same motivation used for **claim 15** is also valid for **claim 33** [see Shaw, column, lines 10-18; see Kung, column 1, lines 19-23]. By this rationale **claim 33** is rejected.

Regarding **claim 34**, the combination Kung-Zellner-Shaw discloses the system of claim 33 in which the computer workstation includes the image source [see *Shaw,*

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column 29, lines 63-67; column 30, lines 1-32]. The same motivation used for **claim 15** is also valid for **claim 34** [see Shaw, column, lines 10-18; see Kung, column 1, lines 19-23]. By this rationale **claim 34** is rejected.

Regarding **claim 35**, the combination Kung-Zellner-Shaw discloses a dataconferencing system for use with a voice call network and a data network accessible at first and second sites, comprising:

a first display device located at the first site [see Kung, column 17, lines 7-67];

a first dataconferencing appliance coupled to the voice call network, the data network, and the first display device at the first site [see Kung, column 17, lines 7-67];

a second display device located at the second site [see Kung, column 19, lines 15-63];

a second dataconferencing appliance coupled to the voice call network, the data network, and the second display device at the second site [see Kung, column 19, lines 15-63]; and

an image source coupled to one of the first and second dataconferencing appliances, each of the first and second dataconferencing appliances implementing a negotiation procedure for obtaining a network access code, transmitting to the other dataconferencing appliance the network access code over the voice call network, and establishing a data communication session between the dataconferencing appliances via the data network using the network access code [see Shawn, column 27, lines 36-67; column 11, lines 23-55; column 9, lines 45-67]. The same motivation used for **claim**

15 is also valid for **claim 35** [see Shaw, column, lines 10-18; see Kung, column 1, lines 19-23]. By this rationale **claim 35** is rejected.

Regarding **claim 36**, the combination Kung-Zellner-Shaw discloses the system of claim 35 in which the image source is adapted to produce image data representative of an image, the first and second dataconferencing appliances are adapted to transmit the image data between the first and second sites over the data network, and further comprising:

a first image processing subsystem for communication with the first display device [see Shaw, *fig. 13, item 302; column 29, lines 7-29*]; and

a second image processing subsystem for communication with and the second display device [see Shaw, *fig. 13, item 304; column 29, lines 7-29*],

the first and second image processing subsystems adapted to receive the image data, to compress the image data prior to transmission over the data network, and to decompress the compressed image data upon receipt of the compressed image data via the data network [see Shaw, *fig. 13, items 302-304; column 29, lines 7-67*]. The same motivation used for **claim 15** is also valid for **claim 36** [see Shaw, column, lines 10-18; see Kung, column 1, lines 19-23]. By this rationale **claim 36** is rejected.

Regarding **claim 37**, the combination Kung-Zellner-Shaw discloses the system of claim 35 in which the first and second display devices each has a pixel resolution, and further comprising:

a first image processing subsystem for communication with the first display device [see Kung, *column 17, lines 7-67*]; and

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a second image processing subsystem for communication with the first display device [see *Kung*, column 17, lines 7-67],

the first and second image processing subsystems adapted to receive the image data and to resize the image data to fit the pixel resolution of the respective first and second display devices [see *Shawn*, column 27, lines 36-67; column 11, lines 23-55; column 9, lines 45-67]. The same motivation used for **claim 15** is also valid for **claim 37** [see *Shaw*, column, lines 10-18; see *Kung*, column 1, lines 19-23]. By this rationale **claim 37** is rejected.

Regarding **claim 38**, the combination Kung-Zellner-Shaw discloses the system of claim 35 in which at least one of the dataconferencing appliances includes an integrated speakerphone [see *Kung*, column 20, lines 26-53]. The same motivation used for **claim 15** is also valid for **claim 38** [see *Shaw*, column, lines 10-18; see *Kung*, column 1, lines 19-23]. By this rationale **claim 38** is rejected.

Regarding **claim 39**, the combination Kung-Zellner-Shaw discloses the system of claim 35 in which at least one of the dataconferencing appliances includes a wireless networking module [see *Kung*, fig. 1, network 1, item 144; column 4, lines 54-67, column 5, lines 1-5]. The same motivation used for **claim 15** is also valid for **claim 39** [see *Shaw*, column, lines 10-18; see *Kung*, column 1, lines 19-23]. By this rationale **claim 39** is rejected.

Regarding **claim 40**, the combination Kung-Zellner-Shaw discloses the system of claim 39 in which the wireless networking module is a short-range peer-to-peer wireless networking module [see *Kung*, fig. 1, network 1, item 144; column 4, lines 54-67,

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column 5, lines 1-5]. The same motivation used for **claim 15** is also valid for **claim 40** [see Shaw, column, lines 10-18; see Kung, column 1, lines 19-23]. By this rationale **claim 40** is rejected.

Regarding **claim 42**, the combination Kung-Zellner-Shaw discloses the system of claim 35 in which each of the first and second dataconferencing appliances includes a dataconference control unit for executing the negotiation procedure and a network interface connecting the dataconference control unit and the image source to the data network [see Shaw, *fig. 13, items 302-304; column 29, lines 7-29*]. The same motivation used for **claim 15** is also valid for **claim 42** [see Shaw, column, lines 10-18; see Kung, column 1, lines 19-23]. By this rationale **claim 42** is rejected.

Regarding **claim 43**, the combination Kung-Zellner-Shaw discloses the system of claim 35 in which each of the first and second display devices includes a network interface for connecting the display device to the dataconferencing appliance via the data network [see Kung, *column 12, lines 24-66*]. The same motivation used for **claim 15** is also valid for **claim 43** [see Shaw, column, lines 10-18; see Kung, column 1, lines 19-23]. By this rationale **claim 43** is rejected.

Regarding **claim 44**, the combination Kung-Zellner-Shaw discloses the system of claim 35, further comprising an Internet conference server accessible on the data network at an IP address, and in which the network access code transmitted over the voice call network includes the IP address [see Kung, *column 12, lines 24-66*]. The same motivation used for **claim 15** is also valid for **claim 44** [see Shaw, column, lines 10-18; see Kung, column 1, lines 19-23]. By this rationale **claim 44** is rejected.

Regarding **claim 45**, the combination Kung-Zellner-Shaw discloses the system of claim 35 in which the network access code transmitted over the voice call network includes a multicast group address [see *Kung*, column 6, lines 53-67]. The same motivation used for **claim 15** is also valid for **claim 45** [see *Shaw*, column, lines 10-18; see *Kung*, column 1, lines 19-23]. By this rationale **claim 45** is rejected.

Regarding **claim 46**, the combination Kung-Zellner-Shaw discloses the system of claim 35 in which the image source includes multiple image sources that generate a plurality of images, the image sources coupled to one or more of the dataconferencing appliances [see *Shaw*, column 12, lines 10-67; column 6, lines 4-63]. The same motivation used for **claim 15** is also valid for **claim 46** [see *Shaw*, column, lines 10-18; see *Kung*, column 1, lines 19-23]. By this rationale **claim 46** is rejected.

Regarding **claim 47**, the combination Kung-Zellner-Shaw discloses the system of claim 35 in which the first dataconferencing appliance and the first display device are integrated in a computer workstation [see *Shaw*, column 29, lines 63-67; column 30, lines 1-32]. The same motivation used for **claim 15** is also valid for **claim 47** [see *Shaw*, column, lines 10-18; see *Kung*, column 1, lines 19-23]. By this rationale **claim 47** is rejected.

Regarding **claim 48**, the combination Kung-Zellner-Shaw discloses the system of claim 47 in which the computer workstation includes the image source [see *Shaw*, column 29, lines 63-67; column 30, lines 1-32]. The same motivation used for **claim 15** is also valid for **claim 48** [see *Shaw*, column, lines 10-18; see *Kung*, column 1, lines 19-23]. By this rationale **claim 48** is rejected.

Allowable Subject Matter

6. **Claims 19, 20, 23, 29, and 41** are objected to as being dependent upon a rejected base claim, but **would be allowable** if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

7. Applicant's Request for Reconsideration filed on 01/06/2006 has been carefully considered but is not deemed fully persuasive. However, because there exists the likelihood of future presentation of this argument, the Examiner thinks that it is prudent to address Applicants' main points of contention.

A. Applicants submit that the combination of Kung and Zellner does not teach or suggest the limitation of the second portion of claim 1, part d) that states "transmit within the voice call session a signal representative of the network access code for receipt by the remote dataconferencing appliance".

B. Applicants submit that the combination of Kung and Zellner does not teach or suggest the limitation of the second portion of claim 1, part e) that states "the remote signal representing a remote network access code, and to establish a data communication session between the local and remote sites via the data network using the remote network access code".

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C. Applicants content that there is no motivation to combine Kung and Zellner or the motivation presented by the Examiner is not convincing because both prior art references are not in the same field of endeavor.

8. As to "Point A" it is the position of the Examiner that the Zellner teaches the limitation of "transmitting within the voice call session a signal representative of the network access code". However, in view of Applicant's remarks, stating that both Zellner does not teach this limitation of the claim the Examiner has made an effort to point out the sections of the prior art that disclose this limitation [see *Zellner*, column 9, lines 22-67].

As to "Point B", see Point A above.

As to point C, applicants erroneously mischaracterize the concept of same field of endeavor with solving a similar problem. It is obvious that Zellner and Kung are not solving a similar problem. As stated by the applicants in page five 3rd paragraph, Kung relates to a Broadband communication system that includes one or more conference servers for combining IP packets and Zellner discloses a device that transmits TCP/IP messages over the Internet to an emergency service center and vice versa. We are here in the same field of endeavor, but the inventions are solving two different problems.

Examiner notes with delight that no new matter has been added and that the new claims are supported by the application as filed. However, applicant has failed in presenting claims and drawings that delineate the contours of this invention as compared to the cited prior art. Applicant has failed to clearly point out patentable

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novelty in view of the state of the art disclosed by the references cited that would overcome the 103(a) rejections applied against the claims, the rejection is therefore sustained.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from examiner should be directed to Jude Jean-Gilles whose telephone number is (571) 272-3914. The examiner can normally be reached on Monday-Thursday and every other Friday from 8:00 AM to 5:30 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley, can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-9000.

Jude Jean-Gilles

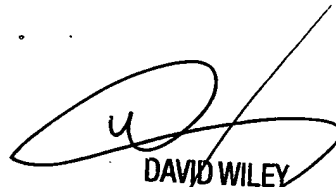
Patent Examiner

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JJG



March 31, 2006



DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100